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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, a non-
profit corporation,

Plaintiff,

vs.

CITY OF SUNNYVALE, BAY COUNTIES
WASTE SERVICES, Inc., and STEVENS
CREEK QUARRY, Inc.,

Defendants.

Case No. C-13-2425-HRL

**REQUEST TO RESCHEDULE THE CASE
MANAGEMENT CONFERENCE AND
~~PROPOSED~~ ORDER**

Judge: Hon. Howard R. Lloyd

WHEREAS, on May 29, 2013, Plaintiff San Francisco Baykeeper filed the above-entitled complaint;

WHEREAS, on September 6, 2013 Plaintiff served Defendant City of Sunnyvale with the complaint and requested a waiver of service of summons;

WHEREAS, Defendant has until October 6, 2013 to respond to the waiver of service of summons and has not done so to date;

WHEREAS, Plaintiff and Defendant (collectively referred to as the "Parties") are continuing to engage in settlement negotiations and anticipate reaching a settlement within the next month to

1 avoid the need for litigation;

2 WHEREAS, the Initial Case Management Conference is scheduled for October 8, 2013, at
3 1:30 pm;

4 WHEREAS, the Scheduling Order states that if the Initial Case Management Conference is
5 continued, the other deadlines are continued accordingly;

6 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the Case
7 Management Conference for November 12, 2013, at 1:30 pm, or at such later date that is convenient
8 for the Court, in order to give the Parties a chance to complete settlement negotiations without
9 involving the resources of the Court;

10 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the deadlines to file
11 an ADR Certification and to file a Rule 26(f) Report to align with the new proposed Case
12 Management Conference date;

13 WHEREFORE, Plaintiff respectfully requests the Court to approve and enter the Proposed
14 Order below.

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16 Dated: September 30, 2013

17 Respectfully submitted,
18 SAN FRANCISCO BAYKEEPER

19 By: /s/ Sejal Choksi-Chugh
20 Sejal Choksi-Chugh
21 Attorney for Plaintiff
22 SAN FRANCISCO BAYKEEPER
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~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that the Case Management Conference set for October 8, 2013, is rescheduled for November 12, 2013, or such later date that is convenient for the Court, and all associated deadlines be moved accordingly.

IT IS SO ORDERED.

NORTHERN DISTRICT COURT OF CALIFORNIA

Dated: October 8, 2013



United States Magistrate Judge
Howard R. Lloyd